

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

PETER LINDNER,

*Pro Se* Plaintiff,

-against-

CSO NEWELL; CSO MUSCHITIELLO; JAMES  
HOWARD (ASST. US MARSHAL); USM BRIAN  
MURPHY; USM BETTY ANN PASCARELLA;  
WITNESS SECURITY S. JONES; D. DISRUD  
(CONGRESSIONAL AFFAIRS CHIEF); USM  
JOSEPH R. GUCCIONE; THE FIRM THAT  
SUBCONTRACTED THE CSOS TO THE USM AT  
SDNY (a.k.a. AKAL SECURITY, INC.),

Defendants.

Case No. 11-CV-8365 (AJN) (MHD)

**NOTICE OF THE CSO DEFENDANTS'**  
**MOTION TO DISMISS PLAINTIFF'S**  
**COMPLAINT**

Filed Via ECF

PLEASE TAKE NOTICE that upon the accompanying memorandum of law, Defendants Akal Security, Inc., CSO Newell and CSO Muschitiello (together, the "CSO Defendants"), by and through their attorneys, will move this Court on a date to be determined by this Court, at the courthouse of the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York 10007, before the Honorable Alison J. Nathan, to dismiss *Pro Se* Plaintiff Peter Lindner's complaint pursuant to Federal Rule of Civil Procedure (i) 12(b)(1) for lack of subject matter jurisdiction and (ii) 12(b)(6) for failure to state a claim upon which relief can be granted.

Dated: July 13, 2012

Respectfully Submitted,

  
Kurt Peterson, Esq.

LITTLER MENDELSON, P.C.  
3344 Peachtree Road, N.E., Ste. 1500  
Atlanta, GA 30326-4803  
Tel: (404) 760-3910

Jennie Woltz, Esq.  
900 Third Avenue, 8th Floor  
New York, NY 10022  
Tel: (212) 583-9600  
*Attorneys for the CSO Defendants*